

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:	§	
	§	
GERALD DYER, II,	§	CASE NO. 08-42815-BTR-7
DEBTOR.	§	
	§	
DAIMLERCHRYSLER FINANCIAL	§	
SERVICES AMERICAS L.L.C.,	§	
MOVANT	§	
	§	
VS.	§	
	§	
GERALD DYER, II	§	
RESPONDENT.	§	

MOTION FOR APPROVAL OF AN AGREEMENT
PURSUANT TO BANKRUPTCY RULE 4001(D)

NO HEARING WILL BE CONDUCTED ON THIS MOTION FOR ENTRY OF AGREED ORDER UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED ON THE MOVANT'S ATTORNEY WITHIN FIFTEEN (15) DAYS FROM DATE OF SERVICE HEREOF, UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION.

IF NO OBJECTION IS TIMELY FILED AND SERVED, THE MOTION FOR ENTRY OF AGREED ORDER SHALL BE DEEMED UNOPPOSED, AND THE COURT MAY ENTER THE AGREED ORDER ATTACHED HERETO WITHOUT CONDUCTING A HEARING.

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, DaimlerChrysler Financial Services Americas L.L.C. ("DaimlerChrysler") and files this its Motion for Approval of an Agreement Pursuant to Bankruptcy Rule 4001(d) ("Motion") to modify the automatic stay and would respectfully show the Court as follows:

1. Attached is an Agreed Order Surrendering Debtor's Interest in one 2007 Dodge Ram 2500, Vehicle Identification Number 1D7KS28C97J526036 which has been entered into by DaimlerChrysler and Gerald Dyer, II ("Debtor"). The account number assigned to this debt ends with 0520.
2. This Motion and the attached Order are being served on any and all committees appointed under the Bankruptcy Code, or its authorized agent, any bankruptcy trustee appointed in the case and all parties filing an appearance and requesting notice.

WHEREFORE, PREMISES CONSIDERED, DaimlerChrysler Financial Services Americas L.L.C. prays that the Court grant this Motion, approve the attached Agreed Order as if it were signed by the Court, and DaimlerChrysler have such other and further relief to which it may be entitled.

Respectfully submitted,

/s/ Ginger Colville

Ginger Colville

State Bar Number 24041717

Pamela Arnold Bassel

State Bar Number 01344800

BASSEL & WILCOX, P.L.L.C.

P. O. Box 11509

Fort Worth, Texas 76110-0509

(817) 870 4671 Telephone

(817) 870 1181 Facsimile

gcolville@basselwilcox.com

pbassel@basselwilcox.com

ATTORNEY FOR DAIMLERCHRYSLER

FINANCIAL SERVICES AMERICAS

L.L.C.

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Motion for Approval of an Agreement Pursuant to Bankruptcy Rule 4001(d) was served FIRST CLASS MAIL, POSTAGE PRE-PAID on:

Merv Waage
8350 South Stemmons
Hickory Creek, TX 75065

Gerald Dyer, II
10394 Dyer Road
Sanger, TX 76266

and all creditors on the attached mailing matrix.

and electronically on:

Mark Weisbart
12770 Coit Road
Suite 541
Dallas, TX 75251

Office of the US Trustee
110 N. College Ave., Suite 300
Tyler, TX 75702

Dated on November 19, 2008.

/s/ Ginger Colville

Ginger Colville,

952-32389-173900